

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDUARDO GONZALEZ, ANTHONY  
OCAMPO, ENCARNACION  
GUTIERREZ, JOHAN MONTOYA,  
JUANCARLOS GOMEZ-MONTEJANO,  
JENNIFER LU, AUSTIN CHU, IVY  
NGUYEN, ANGELINE WU, ERIC  
FIGHT, CARLA GRUBB, DAVID  
CULPEPPER, PATRICE DOUGLASS and  
ROBAIR SHERROD on behalf of  
themselves and all others similarly situated,

Plaintiffs,

vs.

ABERCROMBIE & FITCH STORES,  
INC., A&F CALIFORNIA, LLC and A&F  
OHIO, INC.,

Defendants.

ELIZABETH WEST and JENNIFER LU,  
Plaintiffs,

vs.

ABERCROMBIE & FITCH STORES,  
INC., A&F CALIFORNIA, LLC, A&F  
OHIO, INC., and ABERCROMBIE &  
FITCH MANAGEMENT CO.,

Defendants.

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiffs,

Case No. C03-2817 SI, 04-4730 and 04-4731

**ORDER DIRECTING DEFENDANTS TO  
FILE UNDER SEAL THE COURT-  
APPOINTED MONITOR'S ANNUAL  
COMPLIANCE REPORTS AND TO FILE  
EXECUTIVE SUMMARIES IN THE  
PUBLIC RECORD**

Dept.: Courtroom 10, 19th Floor  
Judge: Hon. Susan Illston

1 vs.

2 ABERCROMBIE & FITCH STORES,  
3 INC., A&F CALIFORNIA, LLC, A&F  
4 OHIO, INC., and ABERCROMBIE &  
FITCH MANAGEMENT CO.,

5 Defendants.

6 The Court, having advised the parties of its desire to review the Court-appointed  
7 Monitor's Second Annual Compliance Report and subsequent Annual Compliance Reports  
8 ("Reports") and the Executive Summary of the Court-appointed Monitor's Second Annual  
9 Compliance Report and subsequent Executive Summaries ("Executive Summaries"), having  
10 reviewed Defendants' Motion for Order Directing Court-Appointed Monitor's Annual  
11 Compliance Reports and Executive Summaries Thereof to be Filed Under Seal and all written  
12 opposition thereto, and having determined that the Reports will be received and reviewed by the  
13 Court under seal subject to any party requesting to have the seal lifted for good cause shown, and  
14 having determined that the Executive Summaries will be received and reviewed by the Court and  
15 not be filed under seal,

16 IT IS HEREBY ORDERED that Defendants file the Monitor's Annual Compliance  
17 Reports under seal until further Order of the Court and without prejudice to any party filing a  
18 request to have the seal lifted for good cause shown. It is also hereby Ordered that Defendants  
19 file the Monitor's Executive Summaries in the public record, and not under seal. Said filings  
20 shall be made no later than ten days prior to the annual Status Conference with the Court. In  
21 keeping with this decision, the Court-Appointed Monitor's First Annual Compliance Report,  
22 which was previously filed under seal, shall remain under seal. However, Defendants are  
23 Ordered to file in the public record the Executive Summary of the Court-Appointed Monitor's  
24 First Annual Compliance Report, which was previously filed under seal.

25 IT IS SO ORDERED.

26 9/20/07

27 Date: \_\_\_\_\_

28   
Honorable Susan Illston  
United States District Judge